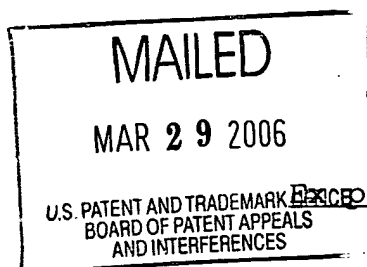


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

~~Ex parte~~ KOZO NAKAMURA, TOSHIAKI SAISHOJI,
TAKASHI YOKOYAMA, SHIN MATSUKUMA
and FUMITAKA ISHIKAWA

Application No. 09/856,209

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (hereinafter the "Board") on March 8, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On December 30, 2005, the Board filed an Order Returning Undocketed Appeal to Examiner wherein the Board ordered the examiner to notify appellants to submit a Supplemental Appeal

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Brief containing the two required paragraphs under 37 CFR § 41.37, namely, the "Evidence Appendix" and the "Related Proceedings Appendix," and to respond to appellants' Reply Brief filed on October 24, 2005.

On March 8, 2006, this application was returned to the Board. A review of this application reveals that on February 21, 2006, the examiner responded to appellants' Reply Brief filed on October 24, 2005. Moreover, on February 6, 2006, and again on February 24, 2006, the examiner mailed a Notification of Non-Compliant Appeal Brief to appellants. In response, appellants filed a corrected Appeal Brief on March 27, 2006.

There is no indication on the record as to whether or not the examiner has responded to appellants' corrected Appeal Brief filed on March 27, 2006.

Accordingly, it is

ORDERED that the application is returned to the examiner to properly respond to appellants Corrected Appeal Brief

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filed on March 27, 2006, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW

Program and Resource Administrator
(571) 272-9797

cc: Welsh & Katz, Ltd.
20 S. Riverside Plaza
22nd Floor
Chicago, IL 60606

DMS/clm